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*Attorneys for Defendants Express Scripts, Inc.,
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and Plato Merger Sub, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE:

MEDCO/EXPRESS SCRIPTS MERGER
LITIGATION

Civil Action No. 11-4211 (DMC) (MF)

**EXPRESS SCRIPTS' MOTION FOR
EXPEDITED RULING ON ITS MOTION
FOR CERTIFICATION OF
INTERLOCUTORY APPEAL AND STAY
PENDING APPEAL, AND PLAINTIFFS'
MOTION FOR CLASS CERTIFICATION**

ORAL ARGUMENT REQUESTED

MOTION DATE: NOVEMBER 21, 2011

TO: James E. Cecchi, Esq.
Lindsey H. Taylor, Esq.
CARELLA, BYRNE, CECCHI,
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*Attorneys for Plaintiff Louisiana Municipal
Police Employees' Retirement System*

COUNSEL:

PLEASE TAKE NOTICE that on November 21, 2011 or as soon as counsel may be
heard, Defendants Express Scripts, Inc., Aristotle Holding, Inc., Aristotle Merger Sub, Inc. and

Plato Merger Sub, Inc. (collectively, "Express Scripts"), through their undersigned attorneys, shall move for an expedited ruling on (i) its motion pursuant to 28 U.S.C. § 1292(b) for an order certifying for interlocutory appeal this Court's order, dated September 19, 2011 (the "Order") denying Defendants' motions to dismiss the Amended Complaint and stay this litigation in favor of virtually identical litigation pending in Delaware, where a class of Medco shareholders has already been certified, and staying this action pending resolution of the appeal (Dkt. 56), and (ii) Plaintiffs' motion for class certification (Dkt. 39) (collectively, the "Motions").

PLEASE TAKE FURTHER NOTICE that in support of its motion, Express Scripts will rely on Express Scripts' Memorandum of Law in Support of Its Motion for Expedited Ruling On Its Motion For Certification Of Interlocutory Appeal And Stay Pending Appeal, and Plaintiffs' Motion For Class Certification, the Certification of Joseph P. La Sala in support of Express Scripts' Motion for Expedited Ruling On Its Motion For Certification Of Interlocutory Appeal And Stay Pending Appeal, and Plaintiffs' Motion For Class Certification and exhibits thereto; and such other papers as may be filed in support of this motion.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

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Respectfully submitted,

/s/ Joseph P. La Sala
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DATED: October 25, 2011